

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Sex Offender Registration Act is amended by
5 adding Section 7-5 as follows:

6 (730 ILCS 150/7-5 new)

7 Sec. 7-5. Termination of duty to register.

8 (a) Any person required to register under Section 3 of this
9 Act for a conviction of criminal sexual abuse under subsection
10 (c) of Section 11-1.50 of the Criminal Code of 1961 may
11 petition the court in the county of conviction for the
12 termination of the term of registration no less than 10 years
13 after his or her initial registration pursuant to Section 3 of
14 this Act.

15 (b) The court may, upon a hearing on the petition for
16 termination of registration, terminate registration if the
17 court finds that the registrant poses no risk to the community
18 by a preponderance of the evidence based upon the factors set
19 forth in subsection (c).

20 (c) To determine whether a registrant poses a risk to the
21 community as required by subsection (b), the court shall
22 consider the following factors:

23 (1) a risk assessment performed by an evaluator

1 approved by the Sex Offender Management Board;

2 (2) the sex offender history of the registrant;

3 (3) evidence of the registrant's rehabilitation;

4 (4) the age of the registrant at the time of the
5 offense;

6 (5) information related to the registrant's mental,
7 physical, educational, and social history;

8 (6) victim impact statements; and

9 (7) any other factors deemed relevant by the court.

10 (d) At the hearing set forth in subsections (b) and (c), a
11 registrant may be represented by counsel and may present a risk
12 assessment conducted by an evaluator who is a licensed
13 psychiatrist, psychologist, or other mental health
14 professional, and who has demonstrated clinical experience in
15 sex offender treatment.

16 (e) After a registrant completes the term of his or her
17 registration, his or her name, address, and all other
18 identifying information shall be removed from all State and
19 local registries.

20 (f) This Section applies retroactively to cases in which
21 sex offenders who registered or were required to register
22 before the effective date of this amendatory Act of the 97th
23 General Assembly. On or after the effective date of this
24 amendatory Act of the 97th General Assembly, a person convicted
25 before the effective date of this amendatory Act of the 97th
26 General Assembly may request a hearing regarding status of

1 registration by filing a Petition Requesting Registration
2 Status with the clerk of the court in the county of conviction.
3 Upon receipt of the Petition Requesting Registration Status,
4 the clerk of the court shall provide notice to the parties and
5 set the Petition for hearing pursuant to subsections (b)
6 through (d) of this Section.

7 (g) This Section does not apply to the following
8 registrants:

9 (1) Registrants convicted in another state or a tribe,
10 a territory, the District of Columbia, or a foreign
11 country;

12 (2) Registrants convicted of any misdemeanor or felony
13 offense other than criminal sexual abuse under subsection
14 (c) of Section 11-1.50 of the Criminal Code of 1961; and

15 (3) Registrants with a second or subsequent conviction
16 of criminal sexual abuse under subsection (c) of Section
17 11-1.50 of the Criminal Code of 1961.